

The Honorable Kymberly K. Evanson

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
EDUCATION, et al.,

Defendants.

NO. 2:25-cv-01228-KKE

DECLARATION OF SUSAN PIAZZA

**DECLARATION OF SUSAN PIAZZA**

I, Susan Piazza, declare under the penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct:

1. I am the Director of the Student Services/Prevention and Wellness Team at the Wisconsin Department of Public Instruction (DPI). I am over the age of 18 and have personal knowledge of all the facts stated herein, including knowledge based on my experience and information provided to me. If called as a witness, I could and would testify competently to the matters set forth below.

2. I submit this Declaration in support of the Plaintiff States' Motion for Preliminary Injunction.

**Background**

3. DPI is the state educational agency for the State of Wisconsin and is responsible for supporting and advancing public education and public libraries in Wisconsin, so that all school-age learners can access high-quality educational programs meeting their needs, and all citizens have access to comprehensive public library resources and services. DPI's Student Service/Prevention and Wellness Team's vision is that everyone in Wisconsin schools is and feels healthy, safe, supported, engaged, and challenged.

4. For the past 11 years at DPI, I have provided statewide leadership in federal education programs and school mental health systems. I successfully administered U.S. Department of Education (Department) funded initiatives, in both consultant and administrator capacities, and have served as Project Director/Principal Investigator for Title I, Part C (Migrant Education Program); Title I, Part D (Neglected and Delinquent Program); McKinney-Vento Act; Emergency Impact Aid; Title IV, Part A (Student Support and Academic Enrichment); and Title

IV, Part B (Nita M. Lowey 21<sup>st</sup> Century Community Learning Center Program) grant projects. I have provided direct oversight over the Title I, Part A grant project and the Foster Care (Out-of-Home Care) program. I have administered Department-funded projects during both Democratic and prior Republican presidential administrations. In my current role as Director of Student Services/Prevention and Wellness for the past six years, I have led efforts to advance student-centered systems that promote mental health, school safety, and overall well-being, including direct oversight of the 2020 and 2024 School-Based Mental Health Services Grants. This includes my role as a Project Director for the 2024 Wisconsin School-Based Mental Health Services Grant Program, which the Department funded under the School-Based Mental Health Services Grant Program (SBMH).

**The Department's Funding and Discontinuance of the 2024 Wisconsin School-Based Mental Health Services Grant Program**

5. SBMH provides competitive grants to state educational agencies (SEAs), local educational agencies (LEAs), and consortia of LEAs to increase the number of credentialed mental health services providers in LEAs with demonstrated need.

6. DPI applied for a multi-year SBMH grant on April 29, 2024.

7. In its application, DPI explained that the 2023 Youth Risk Behavior Survey (YRBS) administered to Wisconsin high school students indicated that 59 percent of Wisconsin high school students experienced at least one mental health challenge within the past year. These mental health challenges included: depression, anxiety, self-harm, or suicidal ideation in the past 12 months. 35 percent reported feeling sad or hopeless almost every day for two weeks or more in a row and stopped doing some usual activities within the past 12 months. 20.9 percent have purposely hurt themselves without wanting to die. 51.6 percent of students self-reported experiencing anxiety. Nearly 18.6 percent of students self-reported that they are seriously

considering suicide; 14.9 percent made a plan to end their own lives, and 8.7 percent have attempted suicide. In Wisconsin's K-12 schools, 5,574 discipline referrals for drug and alcohol-related incidents were reported by LEAs during the 2022-2023 school year. Only 21 percent of students reported that most of the time or always they received the help they needed. As evidenced by this data, students in Wisconsin schools are in crisis and struggling. The support available to them, including access to school-based mental health professionals (SBMHP), is insufficient to meet the struggles they are experiencing. To meet the SBMH program priorities, DPI proposed the following goals for its 2024 SBMH project: by September 30, 2029, a minimum of 25 individuals in aggregate across all selected LEAs will be enrolled or complete an online certification program to become a licensed school-based mental health professional. Efforts within these LEAs seek to increase retention rates of existing mental health professionals in a field that is prone to attrition through contributing variables, such as ongoing professional development and collaboration. The SBMH grant funds would also expand virtual pathways to become licensed SBMHPs from high school through graduate school partnering with LEAs and Institutes of Higher Education (IHE) to increase the candidate pool for all LEAs in Wisconsin. These efforts would ensure the sustainability of increasing student access to mental health services beyond this grant.

8. On 10/17/2024, the Department awarded DPI a SBMH grant for the 2024 Wisconsin School-Based Mental Health Services Grant Program project, Award No. S184H240082. The Grant Award Notification, with subsequent amendments, is attached as Attachment A. The Department approved a multi-year grant performance period of 01/01/2025-12/31/2029 and authorized funding for the initial budget period of 01/01/2025-12/31/2025.

9. Wisconsin's 2024 SBMH project plans to expand on the successful strategies of Wisconsin's 2020 SBMH grant to increase student access to school-based mental health services.

In November 2020, Wisconsin DPI was one of six states to be selected and awarded the pilot 2020 School-Based Mental Health Services Grant. This 2020 SBMH project produced significant outcomes, including:

- A reduction of student to SBMHP ratios by 14 percent in selected sub-granting LEAs. That resulted in 165 students to one SBMHP provider in the 11 sub-granting LEAs, compared to a baseline of 193 students per one FTE SBMHP provider.
- The hiring of 348 SBMHPs in the 11 sub-granting LEAs, to include school counselors, school psychologists, and school social workers.
- With the increase of 487 new students over the past two years, nine partnering University of Wisconsin graduate pupil services certification programs have significantly increased enrollment.

The 2024 Wisconsin School-Based Mental Health Services Grant Program includes:

- The expansion of online certification pathways beginning in high school through post-graduate pathways.
- The development of a “grow your own” process to increase the recruitment and retention of staff that are representative of the school community.
- Expanding school mental health service delivery models, such as teleservice, to increase student access to SBMHPs.

10. In my experience with the Department’s grant programs over the last 11 years, discontinuance of a project’s funding is rare and I have never previously had a project’s funding discontinued or terminated. To my knowledge, prior to 2025, discontinuance or termination has only occurred in cases of misconduct, typically with prior notice and opportunities to respond and correct any underlying issues.

11. Nevertheless, on April 29, 2025, the Department sent notice that DPI's SBMH award would be discontinued at the end of the grant's current budget period, which is 12/31/2025. Given that the Department originally approved this grant's performance period through 12/31/2029, DPI faces a loss of \$8,000,000 in prospective funding. In addition, DPI will be unable to spend the majority of the additional \$2,00,000 for the grant's current budget period because this period was a planning year for the remaining years of the program and DPI has paused all spending on the grant based on the discontinuation. The discontinuation of the grant means that DPI will not provide any grant funding to IHEs and LEAs because IHEs and LEAs cannot start anything in the first year if they will not have the funds to continue the activities into the second through fifth years. The Department's Notice of Non-Continuation of Grant Award is attached as Attachment B.

12. The notice came without any previous process or communication about the discontinuance from the Department. It purported to discontinue the grant based on 34 C.F.R. § 75.253(a)(5) and (f)(1). These regulations allow the Department to not continue a grant if it determines that continuation of the project is not in "the best interest of the Federal Government." 34 C.F.R. § 75.253(a)(5); 34 C.F.R. § 75.253(f)(1). In making this determination, the Department was permitted to consider "any relevant information regarding grantee performance." 34 C.F.R. § 75.253(b). However, the notice failed to cite anything regarding DPI's performance.

13. Rather the notice stated that the Department "determined that the grant specified above provides funding for programs that reflect the prior Administration's priorities and policy preferences and conflict with those of the current Administration." It then went on in boilerplate fashion to list a multitude of reasons, claiming the programs: "violate the letter or purpose of Federal civil rights law; conflict with the Department's policy of prioritizing merit, fairness, and

excellence in education; undermine the well-being of the students these programs are intended to help; or constitute an inappropriate use of federal funds.” Based on this boilerplate language, DPI has no way of knowing which reason(s) applied as the Department’s basis for discontinuing the SBMH grant for the 2024 Wisconsin School-Based Mental Health Services Grant Program.

**Harms from the Department’s Decision to Discontinue DPI’s Grant**

14. The discontinuance of DPI’s SBMH Grant will end the 2024 Wisconsin School-Based Mental Health Services Grant Program.

15. Although DPI can still access funding through the end of our current budget period on 12/31/2025, DPI is already experiencing the harmful effects of this discontinuance. This discontinuance impacts budgetary decisions that require certainty about future income, including the expansion of DPI contractual partnerships with Wisconsin IHEs. IHEs are unable to implement contractual deliverables to expand course offerings for SBMHP student candidates by December 31, 2025, and are reluctant to enter a contractual agreement without sustained financial support and commitment. DPI has selected ten high need LEAs and began the rollout of the sub-grant process in the spring of 2025. IHEs and LEAs must meet a 25 percent match requirement for federal funds. LEAs and IHEs are reluctant to make such a significant investment in funds for a short-term award. The successful implementation of the goals of this grant project requires staffing and student infrastructure development to not only increase the recruitment of SBMHPs but also retain them. As such, these efforts were halted due to financial uncertainty and a lack of sustainable financial support for IHEs and LEAs to implement the goals of the grant. These substantive goals cannot be achieved if the funds are discontinued by December 31, 2025.

16. Moreover, if the Department does not rescind its discontinuation decision, the non-continuation of the grant will harm DPI and Wisconsin students by decreasing the recruitment and

retention of school counselors, school psychologists, and school social workers, and increasing the number of Wisconsin students who will be unable to receive needed school mental health services. Currently in Wisconsin, the student to SBMHP ratios are higher than national recommended levels. Specifically, in Wisconsin, the student to SBMHP ratios are:

- School counselors 1:362 (recommended 1:250),
- School psychologists 1:736 (recommended 1:500),
- School social workers 1:993 (recommended 1:250).

17. In addition, this grant supports one full-time staff position at DPI. No other funding is available to support this position. There is no way to recover lost time or restore continuity once disrupted, and staff who depart will take their training and expertise with them, requiring new investment in recruitment, hiring, and training.

18. Even if the Department were to re-bid SBMH funds, and DPI were to receive a new grant award, the harm would already be done. This non-continuance has created institutional uncertainty regarding the reliability of federal grant funds. The impact of that uncertainty creates roadblocks in securing future partnerships with IHEs and LEAs to start programmatic activities.

### **Conclusion**

19. The discontinuance of DPI's SBMH grant undermines DPI's mission to advance equitable, transformative, and sustainable educational experiences that develop learners, schools, libraries, and communities in Wisconsin and the SSPW team's vision that everyone in Wisconsin schools is and feels healthy, safe, supported, engaged, and challenged; as well as the Department's "mission to ensure equal access to education and to promote educational excellence throughout the Nation." 20 U.S.C. § 1228a(a). These discontinuances make it harder to train and secure talent and to fund providers so that our children may access mental health services. To meet budgetary

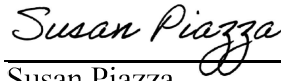


deadlines, DPI and its partners are making difficult decisions in the next few weeks and are already in the process of terminating staff positions that support these programs. These harms are ongoing and will be irreparable if they are not stopped.

20. On June 30, 2025, DPI withdrew its request for reconsideration of the Department's April 29, 2025 Notice of Non-Continuation of Grant Award for DPI's SBMH grant.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 30th day of June, 2025, at Madison, Wisconsin

A handwritten signature in cursive script that reads "Susan Piazza". The signature is written in black ink and is positioned above a horizontal line.

Susan Piazza  
Director of Student Services/Prevention and Wellness